

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. 09-
v.	:	DATE FILED: <u>11/24/09</u>
EVGINEY TARASENKO	:	VIOLATIONS:
ELLENA OSSIPTCHOUK,	:	18 U.S.C. § 371 (conspiracy to obtain
a/k/a "Elena Ossipchyuk"	:	money by false pretenses - 1 count)
	:	18 U.S.C. 2312 (transportation of stolen
	:	vehicle - 1 count)
	:	18 U.S.C. § 2314 (obtaining money by
	:	false pretenses in interstate commerce - 3
	:	counts)
	:	18 U.S.C. § 1343 (wire fraud - 3 counts)
	:	18 U.S.C. § 1028(a)(1) (fraud with
	:	identification documents - 1 count)
	:	18 U.S.C. § 2 (aiding and abetting)

I N D I C T M E N T

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK were common law husband and wife.
2. The defendants resided at 105 Jakes Way, Feasterville -Trevose, Pennsylvania.

THE CONSPIRACY

3. From on or about December 28, 2007, to on or about April 18, 2008, in the Eastern District of Pennsylvania, and elsewhere, defendants

EVGINEY TARASENKO, and
ELLENA OSSIPTCHOUK

conspired and agreed, together with others known and unknown to the grand jury, to commit an offense against the United States, that is, to devise a scheme to defraud and obtain money or property having a value of \$5,000 or more by means of false and fraudulent pretenses, representations and promises, and to transport, and cause to be transported, and to induce persons to travel in interstate commerce in the execution of the scheme or concealment of the scheme to obtain such money and property, in violation of Title 18, United States Code, Section 2314.

MANNER AND MEANS

It was part of the scheme that:

4. Defendant ELLENA OSSIPTCHOUK leased vehicles from dealerships using false names, such as Dane Andriescu.

5. Defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK used and maintained internet online sale accounts to sell vehicles, such as at Cars.com and an Ebay account with the user name "Carteacher215," which was registered with the email address "daneandriescu@yahoo.com," and which was used to sell vehicles online to persons who placed bids on Ebay and who wished to purchase the advertised vehicle.

6. The winning bidders, some from places such as New York, Nebraska, Michigan, and other places, then made arrangements with either defendant EVGINEY TARASENKO or defendant ELLENA OSSIPTCHOUK to travel to Philadelphia, Pennsylvania, to purchase the vehicle and pay the defendants for the vehicle via check or money order.

7. Using aliases, such as "Dane Andriescu" (defendant ELLENA OSSIPTCHOUK) and "Aleks" (defendant EVGINEY TARASENKO), the defendants represented to the purchasers that they were the outright owners of the vehicles and failed to

inform the purchasers that the vehicles were leased, and that the defendants, therefore, were not the rightful owners and did not have title to the vehicles.

8. When the purchasers demanded to receive the titles to the vehicles, defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK either provided a photocopy of a false title or convinced the purchasers that they would send the title to the purchasers once the purchasers' checks cleared the bank.

9. Defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK deposited the checks and money orders into various bank accounts in Philadelphia and elsewhere, such as Bank of America - account ending in 1277, and Commerce Bank - account ending in 0267, all under the name of "Dane Andriescu," and then withdrew the money several days later.

10. None of the purchasers ever received a true title to the vehicles purchased from defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its objects, defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK committed the following overt acts, among others, in the Eastern District of Pennsylvania, and elsewhere:

On or about December 28, 2007:

1. Defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK opened an Ebay account under the user name of "Carteacher 215" with a PayPal identity of "Danephila," and registered with the email address of danephila@yahoo.com.

2. Defendant ELLENA OSSIPTCHOUK used the name "Maria Yuzhanina"

to open the Ebay account as the subscriber.

a. 2008 Toyota RAV4

On or about February 21, 2008:

3. Defendant ELLENA OSSIPTCHOUK leased a 2008 Toyota RAV4 for approximately \$23,000 from Faulkner Toyota in Trevoze, Pennsylvania, using the name Dane Andriescu.

4. To lease the 2008 Toyota RAV4, defendant ELLENA OSSIPTCHOUK provided a false Pennsylvania driver's license bearing the name Dane Andriescu and displaying defendant OSSPTCHOUK's photograph with her wearing a short brown-haired wig.

On or about March 13, 2008:

5. Defendant ELLENA OSSIPTCHOUK agreed by telephone to sell the 2008 Toyota RAV4 to W.W. through the Ebay account with seller ID of "carteacher 215."

6. Defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK caused W.W. to submit a deposit on the vehicle of approximately \$500 to Ebay account "carteacher 215," with Paypal identity "Danephila.."

7. Defendant ELLENA OSSIPTCHOUK represented to W.W. that the Bank of America account ending 1277 was a "loan" account, for the vehicle, and did not tell W.W. that the "loan" account was really a bank account in the name of Dane Andriescu.

On or about March 16, 2008:

8. Defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK caused W.W. to travel from New York City, New York, to Philadelphia, Pennsylvania's 30th Street Station to take possession of the 2008 RAV4 and to have W.W. provide them with a bank

check made payable to Bank of America for approximately \$22,500 for account ending in 1277.

9. Defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK, using the names “Aleks” (TARSENKO) and “Dane Andriescu” (OSSIPTCHOUK), took possession of the Washington Mutual Fund bank check, which W.W. had brought from New York to Pennsylvania, and told W.W. that they would send him the title of the vehicle after W.W.’s bank check cleared and paid off the vehicle “loan” in Bank of America, for account number ending in 1277.

10. Defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK deposited the Washington Mutual Fund bank check into the Philadelphia Bank of America account ending in 1277.

11. On or about April 8, 2008, defendant EVGINEY TARASENKO had a telephonic conversation with W.W. and informed W.W. that Dane (defendant OSSIPTCHOUK) had the title to the vehicle and that Dane would call W.W. back that evening.

12. On or about April 9, 2008, defendant ELLENA OSSIPTCHOUK, using the email account danephila@yahoo.com, emailed W.W. in New York that she had possession of the title to the vehicle, but that the title contained errors, and that the bank was sending her a new title.

b. 2008 Infiniti FX35

On or about February 14, 2008:

13. Defendant ELLENA OSSIPTCHOUK leased a 2008 Infiniti FX35 for approximately \$26,754 from Infiniti of Massapequa in Massapequa, New York, using the name Dane Andriescu, with the assistance of Easy Leasing, a vehicle leasing brokerage company,

located in Brooklyn, New York.

14. To lease the 2008 Infiniti FX35, defendant ELLENA OSSIPTCHOUK produced a false Pennsylvania driver's license bearing the name Dane Andriescu and displaying defendant OSSPTCHOUK's photograph with her wearing a short brown-haired wig.

15. In or around April 2008, defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK placed the 2008 Infinity FX35 for sale through a Cars.com account in the name of Dane Andriescu.

On or about April 11, 2008:

16. Defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK caused C.R. to travel by airplane from Omaha, Nebraska, to Philadelphia, Pennsylvania, for the purpose of test driving the 2008 Infinity FX35 advertised on Cars.com by Dane Andriescu.

17. Defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK sold the 2008 Infinity FX35 to C.R. for approximately \$31,600 plus a \$200 deposit.

On or about April 14, 2008:

18. Defendant EVGINEY TARASENKO, who had represented himself to C.R. and his wife A.R. as "Aleks," drove the 2008 Infinity FX35 from Philadelphia, Pennsylvania, to New York City, and submitted the vehicle to A.R.'s brother in New York City.

19. Defendant EVGINEY TARASENKO took possession of the Commerce Bank check from New York check for approximately \$31,600 from A.R.'s brother in New York City and returned to Pennsylvania with the check.

20. On or about April 15, 2008, defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK deposited the New York Commerce Bank check for \$31,600 into

Pennsylvania Commerce Bank account number ending in 0267 and in the name of Dane Andriescu.

c. 2008 Honda Odyssey

On or about February 22, 2008:

21. Defendant ELLENA OSSIPTCHOUK leased a 2008 Honda Odyssey for approximately \$14,688 from Sussex Honda in Newton, New Jersey, using the name Dane Andriescu, with the assistance of Easy Leasing, a vehicle leasing brokerage company, located in Brooklyn, New York.

22. To lease the 2008 Honda Odyssey, defendant ELLENA OSSIPTCHOUK produced a false Pennsylvania driver's license bearing the name Dane Andriescu and displaying defendant OSSPTCHOUK's photograph with her wearing a short brown-haired wig.

On or about April 5, 2008:

23. Defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK sold the 2008 Honda Odyssey to D.R. through the Ebay account with seller ID of "carteacher 215."

24. Defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK caused D.R. to travel from Michigan to the parking lot of Harper's Crossing Apartments, located in Langhorn, Pennsylvania, for D.R. to take possession of the 2008 Honda Odyssey.

25. Defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK represented themselves to D.R. as "Dane Andriescu" (defendant OSSIPTCHOUK) and "Aleks" (defendant TARASENKO).

26. Defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK

took into their possession a Chase Bank check from Michigan from D.R., which was made payable to Dane Andriescu and to D.R. for \$22,000.

27. Defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK drove D.R. and his wife to a Bank of America branch, located on Oxford Valley Road, Oxford Valley, Pennsylvania, and deposited the Chase Bank check from Michigan for \$22,000 into Bank of America account ending in 1277, in the name of Dane Andriescu.

28. Defendants EVGINEY TARASENKO and ELLENA OSSIPTCHOUK provided D.R. with a title the defendants represented was a photocopy of the actual title of the 2008 Honda Odyssey, but was in fact a false vehicle title.

d. Other Vehicles

On or about February 18, 2008:

29. Defendant ELLENA OSSIPTCHOUK leased a 2008 Nissan Maxima for \$33,614.85 from Star Nissan, Bayside, New York, using the name Dane Andriescu.

30. To lease the 2009 Nissan Maxima, defendant ELLENA OSSIPTCHOUK produced a false Pennsylvania driver's license bearing the name Dane Andriescu and displaying defendant OSSPTCHOUK's photograph with her wearing a brown haired wig.

On or about February 22, 2008:

31. Defendant ELLENA OSSIPTCHOUK attempted to lease a 2008 Toyota Camry from Muller Automotive, Inc., in Lawrence, New Jersey, using the name Dane Andriescu.

32. To lease the 2008 Toyota Camry, defendant ELLENA OSSIPTCHOUK produced a false Pennsylvania driver's license bearing the name Dane Andriescu and displaying defendant OSSPTCHOUK's photograph with her wearing a brown haired wig in her attempt to

lease the Toyota Camry.

All in violation of Title 18, United States Code, Section 371.

COUNTS TWO TROUGH FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 and 2, and 4 through 10, of Count One are incorporated by reference and realleged here.

2. From in or about March 16, 2008, to on or about April 14, 2008, in the Eastern District of Pennsylvania, and elsewhere, defendants

**EVGINEY TARASENKO, and
ELLENA OSSIPTCHOUK,**

devised a scheme to defraud and obtain money or property having a value of \$5,000 or more by means of false and fraudulent pretenses, representations and promises, and transported, and caused to be transported the money and property listed below, and induced persons to travel in interstate commerce in the execution of the scheme or concealment of the scheme to obtain such money and property:

COUNT	DATE	CHECK NO.	PAYOR	AMOUNT	TRANSPORTED FROM
2	March 16, 2008	ending 8313	Washington Mutual Bank	\$22,500	New York
3	April 5, 2008	ending 4486	Chase Bank	\$22,000	Michigan
4	April 14, 2008	ending 1701	Commerce Bank	\$31,600	New York

All in violation of Title 18, United States Code, Sections 2314 and 2._____

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 4 through 7, of the general allegations of Count One, and paragraphs 12 through 18 of the Overt Acts section of Count One, are incorporated by reference and realleged here.

2. On or about April 14, 2008, in the Eastern District of Pennsylvania, and elsewhere, defendant

EVGINEY TARASENKO

unlawfully transported in interstate commerce, from Pennsylvania to New York, a motor vehicle, that is, a 2008 Infiniti FX35, knowing that the vehicle had been stolen.

In violation of Title 18, United States Code, Section 2312.

COUNTS SIX THROUGH EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 and 2 of the general allegations of Count One are incorporated and realleged here.

THE SCHEME

2. From on or about December 28, 2007, to on or about April 18, 2008, in the Eastern District of Pennsylvania, and elsewhere, defendants

EVGINEY TARASENKO, and ELLENA OSSIPTCHOUK

devised and intended to devise a scheme to defraud car dealerships and persons purchasing cars, and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

MANNER AND MEANS

It was part of the scheme that:

3. Paragraphs 4 through 10 of the Manner and Means section of Count One are incorporated and realleged here.

4. Paragraphs 1 through 32 of the Overt Acts section of Count One are incorporated and realleged here:

5. On or about each of the dates set forth below, in the Eastern District of Pennsylvania, and elsewhere, defendants

EVGINEY TARASENKO, and ELLENA OSSIPTCHOUK,

for the purpose of executing the scheme described above, and attempting to do so, and aiding and

abetting its execution, caused to be transmitted by means of wire communication in interstate commerce the signals and sounds described below for each count, each transmission constituting a separate count:

COUNT	DATE	DESCRIPTION
6	March 16, 2008	Bank check, number ending 8313, for \$22,500 drawn from Washington Mutual Bank in New York and deposited at Bank of America in Philadelphia, Pennsylvania.
7	April 5, 2008	Chase Bank check, number ending 4486, for \$22,000 drawn from Chase Bank in Michigan and deposited at Bank of America in Oxford Valley, Pennsylvania.
8	April 15, 2008	Bank check, number ending 1701, for \$ 31,600 drawn from Commerce Bank in New York and deposited at Commerce Bank in Philadelphia, Pennsylvania.

All in violation of Title 18, United States Code, Sections 1343 and 2.

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about the dates listed below, in the Eastern District of Pennsylvania, and elsewhere, defendant

ELLENA OSSIPTCHOUK

knowingly and without lawful authority produced, and aided and abetted the production of, a false identification document, that is, a fraudulent Pennsylvania driver's license displaying the picture of the defendant, the name D.A., and a valid Pennsylvania driver's license issued to another person, and thereby affected interstate commerce:

DATE	DESCRIPTION
February 2, 2008	Driver's license for Dane Andriescu presented to Faulkner Toyota to lease 2008 RAV4.
February 14, 2008	Driver's license for Dane Andriescu presented to Easy Leasing to lease 2008 Infiniti FX35 from Infiniti of Massapequa.
February 18, 2008	Driver's license for Dane Andriescu presented to Star Nissan to lease 2008 Nissan Maxima.
February 22, 2008	Driver's license for Dane Andriescu presented to Easy Leasing to lease 2008 Honda Odyssey from Sussex Honda.

All in violation of Title 18, United States Code, Section 1028(a)(1).

A TRUE BILL:

FOREPERSON

MICHAEL L. LEVY
United States Attorney